# REMARQUES
## UPON
# Mr. PALMES'S ANSWER,
## TO
# Sir RICHARD TEMPLE'S
# CASE

1ly. MR. *Palmes* having agreed with Sr. *Richard Temple*'s Case, that the *Point* in Question, referred to the *Committee*, was; in whom the Possession remained at the meeting of the *Parliament*, of the place where the Breach of Privilledge complained of, by both Parties was done: To prove it to be in him, he Alledges, that all the Lands in Question, were the Lands of Mrs. *Danby*, who Dyed without Issue; but takes no Notice that she had Mortgaged the Inheritance thereof to Sr. *Richard Temple*, and given him Possession in 1686, according to the Deed of Mortgage; and that Sr. *Richard* had received three half Years Rent before Mrs. *Danbys* Death: And was in the peaceable Possession till the 14*th*. of *March* last. And as to Mr. *Palms*'s pretended Attornment, it was not of all the Tennants; but only of one in six, that had any Intereſt in the Land in Question.

2dly. As to the Delivery of any Leases of *Ejectment*, tho' it was alleadged at the *Committee*, yet no such thing was proved: For in truth what *Ejectments* were delivered, were for part of the Jointure Lands, which fell lately; and not the Lands now in Question: So that Mr. *Palms* hath no Colour for his Pretences, that Sr. *Richard* was out of Possession.

3dly. Whether the 21 Persons that came with 7 Teems Forceably to enter upon, and Plough the *Middle Feild*, or those three complained of, that endeavoured only to defend the Possession, and hinder their Ploughs, were the Ryoters and Breakers of Priviledges, is Submitted to every Mans Judgment.

4thly. As to the false Suggestion, that the Attornment of the Tennants to Sr. *Richard Temple* was to avoid Creditors; he appeals to the *Committee*, whither any such thing was proved, or so much as mentioned there, but the Mortgage admitted to be good.

5thly. And as to the Specious Offers, pretended by him to be made to Sr. *Richard Temple* 'tis to be observed, that in Cases of Ryots and Forceable Entries, there is no Priviledge of *Parliament*; all the Parties on both sides being bound over to Answer it, there was no need of Waver of Priviledge, or troubling the *House* about it; and if he designed to obtein any Complyances by those Methods, surely he was in a very Improper and Unreasonable Way.

But he knowing the Equity of Redemption, was given from him to another; therefore he tries all ways to compass the *Possession* and *Incumberances*, to defeate him and the *Creditors* and *Legatees*, which Sr. *Richard* neither in Honour, nor in Justice can comply with.

That the last *Note* is both false and frivilouse, since the Attornment was pursuant to the Deed, and the Agreements therein; and the former Mortgage assigned, was in the same manner; but the Possession as well as the Attornment, and the Receipt of the Rents being proved; Sr. *Richard*'s Attornment was never questioned, nor indeed material: But Mr. *Palmes*'s Pretence for the Possession, was only the Attornment of one of the six Tennants; and Mr. *Palmes* having no Estate in Law, only an Equity of Redemption, could not be good or effectual to out Sr. *Richard* of his Possession.

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